

Date: February 12, 2009

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: HIDEO TAKIGUCHI

Application No.: 09/848,372

For: IMAGE PROCESSING APPARATUS, IMAGE PROCESSING METHOD,
STORAGE MEDIUM, AND PROGRAM
Filed: May 4, 2001

Art Unit: 2174

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated 12 November 2008 of the Primary Examiner finally rejecting claims 34-66.

The items checked below are appropriate.

1. ☐ A Petition for a ____ month extension of time to respond to the final rejection, together with the \$____ extension fee under 37 C.F.R. §1.17, was filed on ____.
2. ☐ A Petition for an additional ____ month extension of time to take further action, together with the \$____ extension fee under 37 C.F.R. §1.17, was filed on ____.
3. ☒ Fee \$540.00
☐ Fee \$270.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
☒ Payment concurrently being made.
☐ Not required (fee paid in prior appeal)
☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
5. ☒ Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Leonard P Diana/

Leonard P. Diana
Attorney for Applicant
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

FCHS_WS 2724446v1